

Attorney's Docket No.: 05542-146004 / 784-C3 - USA F04/PDD/CMP/RKK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Birang et al. Art Unit : 2877
Serial No. : 09/399,310 Examiner : Patrick R. Connelly
Filed : September 20, 1999
Title : APPARATUS AND METHOD FOR IN-SITU ENDPOINT DETECTION FOR
CHEMICAL MECHANICAL POLISHING OPERATIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR 1.321(b)

Applied Materials, Inc., is the assignee of the entire right, title, and interest in the above application by virtue of an assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 007551, Frame 0501 on June 19, 1995. Applied Materials, Inc. is also the assignee of U.S. Patent No. 5,964,643 by virtue of an assignment recorded in the Patent and Trademark Office at Reel 007994, Frame 0864 on June 3, 1996, and of U.S. Patent No. 6,537,133 by virtue of an assignment recorded in the Patent and Trademark Office at Reel 007551, Frame 0501 on June 19, 1995.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration dates of U.S. Patent Nos. 5,964,643 and 6,537,133, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent Nos. 5,964,643 and 6,537,133.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

8-27-04
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Patent Nos. 5,964,643 and 6,537,133 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent Nos. 5,964,643 and 6,537,133.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 05542-146004.

Respectfully submitted,

Date: 8/27/04



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